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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

MEGAN POTE, an individual;

Plaintiff.

vs.

**STATE FARM FIRE AND CASUALTY  
COMPANY, a foreign corporation, and ROE  
LEGAL ENTITIES I-V**

#### Defendants.

CASE NO. 2:20-cv-01970-APG-VCF

**STIPULATION AND ORDER TO  
EXTEND THE DEADLINE TO FILE  
DISPOSITIVE MOTIONS**

## FIRST REQUEST

Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend the deadline to file dispositive motions in the above-captioned case thirty (30) days, up to and including Wednesday, July 6, 2022. In addition, the parties request that all other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as follows:

1. On July 20, 2020, Plaintiff filed her First Amended Complaint in Eighth Judicial District Court, Nevada.
  2. On September 17, 2020, Defendant filed its Answer to First Amended Complaint in

- 1 District Court.
- 2 3. On October 23, 2020, Defendant Removed the action to U.S. District Court.
- 3 4. On December 7, 2020 the parties conducted an initial FRCP 26(f) conference
- 4 5. On September 17, 2020, Plaintiff served its FRCP 26 Initial Disclosures on
- 5 Defendant.
- 6 6. On December 14, 2020, Defendant served her FRCP 26 Initial Disclosures on
- 7 Plaintiff.
- 8 7. On December 22, 2020, the Court entered the Stipulated Discovery Order.
- 9 8. On January 5, 2021, Defendant served written discovery on Plaintiff. Plaintiff
- 10 served her Responses on February 8, 2021.
- 11 9. On or about March 10, 2021, Defendant served records subpoenas on Plaintiff's
- 12 treatment providers.
- 13 10. On March 30, 2021, Plaintiff served written discovery on Defendant. Defendant
- 14 served its responses on April 29, 2021.
- 15 11. On May 14, 2021, Defendant served a supplement to its FRCP 26 Initial
- 16 Disclosures of the medical records and bills it has received to that date as responses
- 17 to its records subpoenas.
- 18 12. On August 5, 2021, Defendant deposed Plaintiff.
- 19 13. On September 3, 2021, Plaintiff underwent an Independent Medical Evaluation in
- 20 Tacoma, Washington.
- 21 14. On February 4, 2022, the parties served their initial designations of expert
- 22 witnesses.

23 **DISCOVERY REMAINING**

24 Discovery has closed, and the parties do not seek its reopening.

25 **EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND SCHEDULING**

26 **ORDER**

27 The parties diligently conducted discovery, including disclosing documents, responding to

28 written discovery, deposing Plaintiff, and designating initial expert witnesses. Since then, counsel

1 have been engaged in discussions regarding a resolution absent either party incurring additional  
 2 costs. To that end, the parties respectfully request a brief extension of thirty (30) days to enable  
 3 further discussions to ensue so as to avoid incurring additional costs of dispositive motion practice  
 4 if possible.

5 LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling Order.  
 6 Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be  
 7 made no later than twenty-one (21) days before the expiration of the subject deadline and must  
 8 comply fully with LR 26-3. Requests made after this time period must be the result of excusable  
 9 neglect.

10 Here, this Request for an extension of time is not sought for any improper purpose or other  
 11 purpose of delay, but rather as a result of a continued efforts at resolution in a manner that lowers  
 12 both parties' litigation costs. Vacation and trial schedules have led to these discussions running  
 13 past the dispositive motion deadline. As such, the parties submit that good cause and excusable  
 14 neglect exist for this brief extension of thirty days.

15 WHEREFORE, the parties respectfully request that this Court extend the time for the  
 16 parties to file their dispositive motions by thirty (30) days from the current deadline of June 6,  
 17 2022 up to and including July 6, 2022. Accordingly, the parties also request that the deadline to  
 18 file the parties' Joint Pretrial Order is also extended by thirty days to August 4, 2022.

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1 If dispositive motions are pending, the parties will file their joint pretrial order within thirty  
2 days of the Court's order as to those motions.

3 Dated this 6<sup>th</sup> day of June 2022.

Dated this 6<sup>th</sup> day of June, 2022.

4 LEWIS BRISBOIS BISGAARD & SMITH LLP

VAN LAW FIRM

5

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**ORDER**

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IT IS SO ORDERED.

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Dated this 8th day of June 2022.

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16 U.S. MAGISTRATE JUDGE

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